

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER No. 85-69

AN ORDER REQUIRING NORTH POINT WATER POLLUTION CONTROL PLANT AND SOUTHEAST WATER POLLUTION CONTROL PLANT, OF THE CITY AND COUNTY OF SAN FRANCISCO, TO CEASE AND DESIST FROM DISCHARGING WASTES IN VIOLATION OF THE REQUIREMENTS OF ORDER No. 84-47 (NPDES No. CA0037672) AND ORDER No. 84-27 (NPDES No. CA0037664) PRESCRIBED BY THE CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD.

The California Regional Water Quality Control Board, San Francisco Bay Region, (hereinafter Board) finds that:

1. On June 20, 1984, the Board adopted Order No. 84-27 (NPDES No. CA0037664) prescribing discharge requirements covering the discharge of waste and pollutants by the City and County of San Francisco (hereinafter discharger) from its (secondary treatment) Southeast Water Pollution Control Plant (WPCP).
2. On July 18, 1984, the Board adopted Order No. 84-47 (NPDES No. CA0037672) prescribing discharge requirements covering the discharge of waste and pollutants by the discharger's (primary treatment) North Point WPCP during wet weather.
3. The requirements of Order No. 84-27 provide in part, as follows:

"..."

A. Discharge Prohibitions

1. Bypass of partially treated wastewater to waters of the State either at the treatment plant or from any of the collection system and pump stations tributary to the treatment plant is prohibited.

.....

B. Effluent Limitations

1. Effluent discharged shall not exceed the following limit:

Constituents	Units	30-Day Average	7-Day Average	Daily Maximum
a. BOD	mg/l	30	45	----
b. SS	mg/l	30	45	----
c. Oil & Grease	mg/l	10	----	20

.....

2. The arithmetic mean of the biochemical oxygen demand (5-day, 20 °C) and suspended solids, by weight for effluent samples collected in a period of 30 consecutive calendar days shall not exceed 15 percent of the arithmetic mean of the respective values, by weight, for influent samples collected approximately the same times during the same period (85 percent removal).

4. The requirements of Order No. 24-47 provide in part, as follows:

"....."

C. Provisions

.....

6. Requirement to update Operations and Maintenance Manual.
7. Requirement to submit a Contingency Plan.

.....

9. Standard Provision A.6- Maintain facility in good working order.

....."

5. The "Standard Provisions and Reporting Requirements" cited in Finding 3. above include the following Provision A.6.:

"Standard Provisions:

The discharger shall maintain facility in good working order."

.....

6. On January 22, 1985, the Executive Officer issued Cleanup and Abatement (CAO) Order No. 85-005 to the discharger for violation of its North Point and Southeast Water Pollution Control Plant (WPCP) NPDES permits.
7. During the period from December 14, 1984 to January 30, 1985 and then again from February 4, 1985 to February 5, 1985, the City violated the limits, prohibitions and limits stated above in its North Point and Southeast NPDES permits; the violation of these permits was a result of the failure of all four of the dry-weather pumps at the NSPS. As of this Order date, the discharger has been able to reinstall only one pump; another pump may be reinstalled by the first week of May; the other two pumps may be reinstalled by the end of May. This lack of reliably operable back-up pumps is a threat to continuing compliance of the NPDES permits.
8. CAO No. 85-005 requires the discharger to achieve full compliance with all waste discharge requirements contained in its North Point and Southeast WPCP NPDES permits by February 8, 1985; to perform four tasks to assure continuing compliance, and to provide weekly status reports.
9. The discharger has provided the Board weekly status reports and has also performed satisfactorily three tasks out of the four tasks required by the CAO to assure continuing compliance. The fourth task is due April 30, 1985.
10. The discharger has been able to achieve continuing compliance with its North Point and Southeast WPCP NPDES permits since February 5, 1985. However, this is only a short-term compliance; a threat still exists for long-term non-compliance. Long-term compliance can only be achieved by

increasing the reliability of the NSPS as indicated by the Bechtel report (dated January 31, 1985) and other City reports that were submitted to the Board as required by the CAO.

11. On Wednesday May 15, 1985, in the Assembly Room, State Building, 1111 Jackson Street, Oakland, after due notice to the discharger and all other affected persons the Board conducted a public hearing at which the discharger and other interested persons appeared and evidence was received and considered concerning the violations of discharge requirements and actions taken and proposed by the discharger and other affected persons to assure compliance with the NPDES permits.
12. Self-monitoring reports, staff investigations and reports, written and oral testimony from the discharger and public document that the discharger has violated the requirements cited above in Findings 3,4 and 5 during the period of December 14, 1984 to January 30, 1985 and then again from February 4, 1985 to February 5, 1985 for a total of 40 days and continue to threaten to violate these requirements until higher reliability for the NSPS is provided by the discharger. Threatened failures in other discharger pump stations are also possible that may violate other Board waste discharge requirements.
13. The pump failures has resulted in increases in pollution loading to San Francisco Bay of 1,170,000 lbs of BOD and 900,000 lbs of Suspended Solids.
14. This action is an order to enforce waste discharge requirements previously adopted by the Board. This action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED THAT the City and County of San Francisco cease and desist from discharging wastes contrary to the requirements in Order No. 84-47 and Order No. 84-27 as follows:

- | 1. | Task | Completion Date |
|----|--|-----------------|
| a. | Submit status reports weekly to the Executive Officer until Executive Officer deletes or amends requirement. Reports shall be delivered no later than noon each Monday. Status reports will include task accomplishments and projected work. Any significant changes to the weekly reports will be reported immediately by telephone to Board staff. The Executive Officer may change the frequency of the status reports at his discretion. | ONGOING |
| b. | Submit a technical report that sum- | May 24, 1985 |

narizes the findings of the review of design practices used in designing and specifying large pumps and related equipment.

- c. Submit a report that summarizes all other modifications, along with associated costs, to the NSPS to increase the reliability of the system.

May 31, 1985

- d. Submit a technical report that summarizes the comments and recommendations of manufacturers, consultants, and City staff on the recommended selected alternative for pump modification. Include any pertinent information such as analysis of the torsional test result, costs etc.

June 14, 1985

- e. Submit an implementation schedule for the selected alternative for pump modification and for all other modifications to the NSPS. The time schedule should contain completion dates for the following subtasks:
 1. Complete design
 2. Complete contract documents
 3. Advertise for construction bids
 4. Award construction contract
 5. Complete construction

June 14, 1985

Status report should be submitted to the Executive Officer one week after completion of each of these subtasks.

- f. Submit a report that summarizes the results of torsional vibration testing performed on the four pumps that show satisfactory correction of the problem.

Within 30 days
after a second
pump is corrected

- g. Submit a technical report that summarizes any necessary modifications, along with associated costs, to all the critical pump stations of CCEF to assure their reliability and an implementation time schedule for any necessary modifications.

June 30, 1985

- h. Submit a monthly report to the RWQCB that contains results on the vibration testing performed on all NSPS dry weather pumps for one year upon final installation of the pump.

Monthly with SMP

- i. Submit a quarterly report to the

Quarterly with SMP

RWDCE that contains the results of the vibration testing performed on all NSPS dry weather pumps at several motor speeds for one year upon final installation of the pumps.

- J. Submit an updated Operations and Maintenance Manual for the NSPS and a Contingency Plan in conformance with Board Resolution 74-10. October 1, 1985

2. The discharger shall submit to the Board on or before each compliance report date, a report detailing his compliance or non-compliance with the specific scheduled task. If noncompliance is being reported, the reasons for such non-compliance shall be stated, plus an estimate of the date when the discharger will be in compliance. The discharger shall notified the Board by letter when he has returned to compliance with the time schedule.

If the Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is authorized, after approval of the Board Chairman, to request the Attorney General to take appropriate enforcement action against the discharger, including injunction and civil remedies, if appropriate.

If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reason that the discharger has been unable to comply with the provisions of this Order.

I, Roger B. James, do hereby certified the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on May 15, 1985.

DATED

ROGER B. JAMES
EXECUTIVE OFFICER

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION
1111 JACKSON STREET, ROOM 6040
OAKLAND 94607

Phone: Area Code 415
464-1255



Certified Mail No. P535301448
Return Receipt Requested.

Date: June 7, 1985

File: 2169.6008A (LAH)ej
2316.6008A
NPDES No. CA0037664
CA0037672

Mr. Don Birrer
Director of Public Works
City and County of San Francisco
Department of Public Works
Office of the Director
Room 260, City Hall
San Francisco, CA 94102

Attn: Mr. Birrer:

NOTICE: The item(s) indicated by an "X" are enclosed herewith:

- ☐ A. One certified copy of an Order adopted by the Board on the date shown therein.
- ☐ B. Attachment to Order containing Requirements and Recommendations of other agencies.
- ☐ C. One copy of Executive Officer Summary Report which was considered by the Board on the date shown therein. The Motion(s) recommended therein was (were) adopted by the Regional Board on that date.
- ☒ D. Other - Cease and Desist Order No. 85-69 and Resolution No. 85-8

Sincerely,

Laurence P. Kell
for

ROGER B. JAMES
Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION No. 85-8

VIOLATIONS OF SECTIONS 13385 AND 13386 OF THE
CALIFORNIA WATER CODE BY

NORTH POINT WATER POLLUTION CONTROL PLANT
AND
SOUTHEAST WATER POLLUTION CONTROL PLANT
CITY AND COUNTY OF SAN FRANCISCO

WHEREAS, on May 15, 1985 the California Regional Water Quality Control Board, San Francisco Bay Region (hereinafter Board), after due notice held a public hearing under California Water Code Sections 13385 and 13386 regarding the alleged discharge of wastes and pollutants to waters of the State and of the United States during the period of December 1984 through February 1985 by the City and County of San Francisco (hereinafter discharger).

WHEREAS, based on evidence received at the hearing, the Board finds:

1. The discharger is permitted to discharge wastes and pollutants to Central San Francisco Bay from its North Point Water Pollution Control Plant only during wet- weather and to Lower San Francisco Bay from its Southeast Water Pollution Control Plant all year round. Said waste and pollutants are discharged pursuant to effluent limitations and provisions of waste discharge requirements contained in the Southeast NPDES Permit No. CA0037664 (Order No.84-27) and in the North Point NPDES Permit No. CA0037672 (Order No.84-47). These Orders call for continuous reliable treatment of wastes prior to discharge.
2. During the period from December 14, 1984 to January 30, 1985 and then again from February 4, 1985 to February 5, 1985 for a total of 40 days, the discharger continuously permitted inadequately treated waste to be discharged during dry weather from the North Point WPCP to Central San Francisco Bay. Said discharge was in violation of waste discharge requirements contained in Order No.84-27 and in Order No.84-47 relative to:

Southeast NPDES Permit No. CA0037664 (Order No. 84-27)

Discharge Prohibitions:

- A.1. "Bypass of partially treated wastewater to waters of the State at the treatment plant or from any of the collection system and pump stations tributary to the treatment plant is prohibited".

Effluent Limitations:

- B.1. BOD, Total Suspended Solids, and Oil and Grease.
- B.2. 85% BOD and Suspended removal rates.

North Point NPDES Permit No. CA0037672 (Order No. 84-47)

Provisions:

- C.6. Requirement to update Operations and Maintenance Manual.
 - C.7. Requirement to submit a Contingency Plan.
 - C.9. Standard Provision A.6- Maintain facility in good working order.
- 3. The violation of the NPDES permit requirements has resulted in increases in pollution loading to San Francisco Bay of 1, 170,000. lbs of BOD and 900,000. lbs of Suspended Solids.
 - 4. This project is exempt from the provision of Chapter 3 (commencing with Section 21100) of Division 13 of the Public Resources Code (CEQA) pursuant to Section 15321 of the Resource Agency Guideline.

NOW, THEREFORE BE IT RESOLVED, that this Regional Board, in accordance with Sections 13350, 13385, and 13386(a) of the California Water Code and pertinent provisions of the Clean Water Act, does hereby request the Attorney General to take appropriate action including a petition to the appropriate Court to impose, assess, and recover such civil monetary remedies as may be appropriate against the North Point and Southeast Water Pollution Control Plants, City and County of San Francisco for the violations in Finding 2. above for the period of December 1984 through February 1985.

I, Roger B. James, Executive Officer, do hereby certify the foregoing is a full, true and correct copy of Resolution adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on May 15, 1985.

ROGER B. JAMES
Executive Officer

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER No. 85-69

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The California Regional Water Quality Control Board, San Francisco Bay Region, (hereinafter Board) finds that:

1. On June 20, 1984, the Board adopted Order No. 84-27 (NPDES No. CA0037664) prescribing discharge requirements covering the discharge of waste and pollutants by the City and County of San Francisco (hereinafter discharger) from its (secondary treatment) Southeast Water Pollution Control Plant (WPCP).
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3. The requirements of Order No. 84-27 provide in part, as follows:

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A. Discharge Prohibitions

1. Bypass of partially treated wastewater to waters of the State either at the treatment plant or from any of the collection system and pump stations tributary to the treatment plant is prohibited.

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B. Effluent Limitations

1. Effluent discharged shall not exceed the following limit:

Constituents	Units	30-Day Average	7-Day Average	Daily Maximum
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4. The requirements of Order No. 84-47 provide in part, as follows:

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C. Provisions

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6. Requirement to update Operations and Maintenance Manual.
7. Requirement to submit a Contingency Plan.

.....

9. Standard Provision A.6- Maintain facility in good working order.

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5. The "Standard Provisions and Reporting Requirements" cited in Finding 3. above include the following Provision A.6.:

"Standard Provisions:

The discharger shall maintain facility in good working order."

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7. During the period from December 14, 1984 to January 30, 1985 and then again from February 4, 1985 to February 5, 1985, the City violated the limits, prohibitions and limits stated above in its North Point and Southeast NPDES permits; the violation of these permits was a result of the failure of all four of the dry-weather pumps at the NSPS. As of this Order date, the discharger has been able to reinstall only one pump; another pump may be reinstalled by the first week of May; the other two pumps may be reinstalled by the end of May. This lack of reliably operable back-up pumps is a threat to continuing compliance of the NPDES permits.
8. CAO No. 85-005 requires the discharger to achieve full compliance with all waste discharge requirements contained in its North Point and Southeast WPCP NPDES permits by February 8, 1985; to perform four tasks to assure continuing compliance, and to provide weekly status reports.
9. The discharger has provided the Board weekly status reports and has also performed satisfactorily three tasks out of the four tasks required by the CAO to assure continuing compliance. The fourth task is due April 30, 1985.
10. The discharger has been able to achieve continuing compliance with its North Point and Southeast WPCP NPDES permits since February 5, 1985. However, this is only a short-term compliance; a threat still exists for long-term non-compliance. Long-term compliance can only be achieved by

increasing the reliability of the NSPS as indicated by the Bechtel report (dated January 31, 1985) and other City reports that were submitted to the Board as required by the CAO.

11. On Wednesday May 15, 1985, in the Assembly Room, State Building, 1111 Jackson Street, Oakland, after due notice to the discharger and all other affected persons the Board conducted a public hearing at which the discharger and other interested persons appeared and evidence was received and considered concerning the violations of discharge requirements and actions taken and proposed by the discharger and other affected persons to assure compliance with the NPDES permits.
12. Self-monitoring reports, staff investigations and reports, written and oral testimony from the discharger and public document that the discharger has violated the requirements cited above in Findings 3,4 and 5 during the period of December 14, 1984 to January 30, 1985 and then again from February 4, 1985 to February 5, 1985 for a total of 40 days and continue to threaten to violate these requirements until higher reliability for the NSPS is provided by the discharger. Threatened failures in other discharger pump stations are also possible that may violate other Board waste discharge requirements.
13. The pump failures has resulted in increases in pollution loading to San Francisco Bay of 1,170,000 lbs of BOD and 900,000 lbs of Suspended Solids.
14. This action is an order to enforce waste discharge requirements previously adopted by the Board. This action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15321 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED THAT the City and County of San Francisco cease and desist from discharging wastes contrary to the requirements in Order No. 84-47 and Order No. 84-27 as follows:

- | 1. Task | Completion Date |
|---|-----------------|
| a. Submit status reports weekly to the Executive Officer until Executive Officer deletes or amends requirement. Reports shall be delivered no later than noon each Monday. Status reports will include task accomplishments and projected work. Any significant changes to the weekly reports will be reported immediately by telephone to Board staff. The Executive Officer may change the frequency of the status reports at his discretion. | ONGOING |
| b. Submit a technical report that sum- | May 24, 1985 |

marizes the findings of the review of design practices used in designing and specifying large pumps and related equipment.

- c. Submit a report that summarizes all other modifications, along with associated costs, to the NSPS to increase the reliability of the system.

May 31, 1985

- d. Submit a technical report that summarizes the comments and recommendations of manufacturers, consultants, and City staff on the recommended selected alternative for pump modification. Include any pertinent information such as analysis of the torsional test result, costs etc.

June 14, 1985

- e. Submit an implementation schedule for the selected alternative for pump modification and for all other modifications to the NSPS. The time schedule should contain completion dates for the following subtasks:

June 14, 1985

1. Complete design
2. Complete contract documents
3. Advertise for construction bids
4. Award construction contract
5. Complete construction

Status report should be submitted to the Executive Officer one week after completion of each of these subtasks.

- f. Submit a report that summarizes the results of torsional vibration testing performed on the four pumps that show satisfactory connection of the problem.

Within 30 days
after a second
pump is connected

- g. Submit a technical report that summarizes any necessary modifications, along with associated costs, to all the critical pump stations of CCSP to assure their reliability and an implementation time schedule for any necessary modifications.

June 30, 1985

- h. Submit a monthly report to the RWQCB that contains results on the vibration testing performed on all NSPS dry weather pumps for one year upon final installation of the pump.

Monthly with SMP

- i. Submit a quarterly report to the

Quarterly with SMP

RWQCB that contains the results of the vibration testing performed on all NSPS dry weather pumps at several motor speeds for one year upon final installation of the pumps.

October 1, 1985

- j. Submit an updated Operations and Maintenance Manual for the NSPS and a Contingency Plan in conformance with Board Resolution 74-10.

2. The discharger shall submit to the Board on or before each compliance report date, a report detailing his compliance or non-compliance with the specific scheduled task. If noncompliance is being reported, the reasons for such noncompliance shall be stated, plus an estimate of the date when the discharger will be in compliance. The discharger shall notified the Board by letter when he has returned to compliance with the time schedule.

If the Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is authorized, after approval of the Board Chairman, to request the Attorney General to take appropriate enforcement action against the discharger, including injunction and civil remedies, if appropriate.

If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reason that the discharger has been unable to comply with the provisions of this Order.

I, Roger B. James, do hereby certified the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on May 15, 1985.

DATED

ROGER B. JAMES
EXECUTIVE OFFICER